MICHIGAN HOUSE OF REPRESENTATIVES

DAILY CALENDAR

THURSDAY, DECEMBER 2, 1999 12:00 Noon

REPORTS OF SELECT COMMITTEES

HB 4485 Rep. Caul

Insurance; health care corporations; continuity of care; provide for.

— 1 ——

Amends 1980 PA 350 (MCL 550.1101 - 550.1704) by adding sec. 402c.

(Conference report received; laid over 1 day December 1.)

(For conference report, see House Journal No. 82, page 2368.)

4486 Rep. Richardville

Insurance; health maintenance organizations; continuity of care; provide for.

Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding sec. 21052b.

(Conference report received; laid over 1 day December 1.)

(For conference report, see House Journal No. 82,

HB 4487 Rep. Law

Insurance; health; continuity of care; provide for.

Amends 1956 PA 218 (MCL 500.100 - 500.8302) by adding sec. 2212b.

(Conference report received; laid over 1 day December 1.)

(For conference report, see House Journal No. 82, page 2369.)

REPORTS OF STANDING COMMITTEES

HR 117 Rep. Raczkowski

A resolution to create the Select Committee on Limiting the Importation of Waste into Michigan.

(Reported by Committee on House Oversight and **Operations.**)

(For text of resolution, see House Journal No. 53, page 1379; laid over 1 day June 9.)

HR 118 Rep. Raczkowski

A resolution to create the Select Committee on the Training and Development of Twenty-first Century Teachers.

(Reported by Committee on House Oversight and **Operations.**)

(For text of resolution, see House Journal No. 53, page 1380; laid over 1 day June 9.)

†Constitution, Art. IV, Sec. 26. #House Rule 49.

*Appropriation Bill—House Rule 49.

MESSAGES FROM THE SENATE

____ 6 ____

HB 4530 Rep. Green

Weapons; licensing; concealed weapon and pistol purchase permits; revise and require proof of firearms training before issuance of permit.

Amends title & secs. 1, 8, 12, 12a & 14 of 1927 PA 372 (MCL 28.421 et seq.); adds secs. 1a, 2a, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5j, 5k, 5l, 5m & 5n & repeals secs. 3, 6, 9d & 12c of 1927 PA 372 (MCL 28.423 et seq.).

(Returned from Senate with substitute (S-1) and immediate effect; laid over 1 day June 1.)

(For House substitute (H-2), see Blue Book.)

(For Senate substitute (S-1), see Blue Book.)

HB 4618 Rep. Rick Johnson

Civil procedure; costs and fees; statutory attorney fee for the trial in civil cases; increase.

Amends sec. 2441 of 1961 PA 236 (MCL 600.2441).

(Returned from Senate with amendments; laid over 1 day November 30.)

(I.E. House, June 8.)

(For House substitute (H-2), see Blue Book.)

(For Senate amendments, see House Journal No. 81, page 2321.)

HB 4625 Rep. Gilbert

Criminal procedure; appeals; appointed counsel on appeal following guilty or nolo contendere plea; limit.

— 8 ——

Amends 1927 PA 175 (MCL 760.1 - 777.69) by adding sec. 3a to ch. X.

(Returned from Senate with amendments; laid over 1 day November 30.)

(For House substitute (H-2), see Blue Book.)

(For Senate amendments, see House Journal No. 81, page 2308.)

____ 9 ____

HB 4010 Rep. Shulman

Highways; construction and repair; township liability for injuries and damages occurring on public highways, sidewalks, bike paths, and safety paths; eliminate unless township assumes jurisdiction.

Amends sec. 2 of 1964 PA 170 (MCL 691.1402).

(Returned from Senate with amendments and immediate effect; laid over 1 day December 1.)

(For House substitute (H-2)*, see Blue Book.)

MESSAGES FROM THE SENATE

____ 10 _____

HB 4640 Rep. Faunce

Criminal procedure; sentencing guidelines; technical amendments; provide for.

Amends sec. 34, ch. IX & secs. 31, 43, 46 & 48, ch. XVII of 1927 PA 175 (MCL 769.34 et seq.).

(Returned from Senate with amendments and immediate effect; laid over 1 day December 1.)

(I.E. House, May 27.)

(For House amendments, see House Journal Nos. 48 and 49, pages 1082 and 1139.)

THIRD READING

— 11 ———

HB 4717 Rep. Bovin

Criminal procedure; probation; probation conditions to prohibit firearm purchase; permit.

Amends sec. 3, ch. XI of 1927 PA 175 (MCL 771.3).

(Reported by Committee on Criminal Law and **Corrections.**)

(Read a third time; postponed temporarily October 14.)

(For House amendment, see House Journal No. 67, page 1940.)

HB 4397 Rep. Switalski

Consumer protection; home solicitation sales; transaction validation requirements for telemarketers; establish.

Amends secs. 2 & 3 of 1971 PA 227 (MCL 445.112 & 445.113).

(Reported by Committee on Insurance and Financial Services.)

(Read a third time; postponed temporarily November **10.**)

____ 13 _____

HB **4380** Rep. Rivet

Local government; special assessments; creation of certain special assessment districts; provide authority to townships under certain circumstances.

Amends sec. 31 of 1947 PA 359 (MCL 42.31).

(Reported by Committee on Local Government and **Urban Policy.**)

SECOND READING

_____ 14 _____

***HB 4305** Rep. Byl

Appropriations; environmental quality; department of environmental quality; provide for fiscal year 1999-2000.

(Reported by Committee on Appropriations.)

(Read a second time; substitute (H-1) adopted; amended; amendment offered; postponed temporarily November 30.)

(For House substitute (H-1), see Blue Book.)

(For House amendments, see House Journal No. 81,

(For proposed House amendment, see House Journal No. 81, page 2346.)

SECOND READING

____ 15 _____

HB 4190 Rep. Cassis

Consumer credit; credit bureaus; individual access to 1 free credit report annually; provide for.

(Reported by Committee on Insurance and Financial Services.)

(For proposed House substitute (H-1)*, see Blue Book.)

HB 4032 Rep. Sanborn

Income tax; property tax credit; calculation of credit; revise for senior citizens.

Amends sec. 522 of 1967 PA 281 (MCL 206.522).

(Reported by Committee on Tax Policy.)

(For proposed House substitute (H-2), see Blue Book.)

— 17 *—*

SB 178 Sen. McManus

Transportation; motor fuel tax; wholesale distributor of diesel motor fuel; require to pay taxes to the department of treasury at time of filing a report on all gallons tax exempt but not sold for tax exempt purposes during the reporting period.

Amends sec. 12 of 1927 PA 150 (MCL 207.112).

(Reported by Committee on Tax Policy.)

(For proposed House substitute (H-1), see Blue Book.) (For Senate substitute (S-2), see Blue Book.)

— 18 ———

HB 4022 Rep. Wojno

Single business tax; credit; credit for the purchase and installation costs for equipment to process recyclable materials; provide for.

Amends 1975 PA 228 (MCL 208.1 - 208.145) by adding sec. 39d.

(Reported by Committee on Tax Policy.)

(For proposed House substitute (H-3), see Blue Book.)

4256 Rep. LaSata

Single business tax; credit; credit for the cost paid to purchase equipment to process recyclable materials; provide

Amends 1975 PA 228 (MCL 208.1 - 208.145) by adding

(Reported by Committee on Tax Policy.)

(For proposed House substitute (H-3), see Blue Book.)

HB 4373 Rep. Cassis

Property tax; personal property; buildings on leased land; assess as real property.

Amends secs. 2, 8, 14 & 34c of 1893 PA 206 (MCL 211.2 et seq.).

(Reported by Committee on Tax Policy.)

(For proposed House amendment, see House Journal No. 45, page 934.) ____ 21 _____

4541 Rep. Bovin HB

Criminal procedure; probation; probation conditions prohibiting purchase or possession of firearm; permit.

Amends sec. 3, ch. XI of 1927 PA 175 (MCL 771.3).

(Reported by Committee on Constitutional Law and Ethics.)

____ 22 _____

SB 519 Sen. Dunaskiss

Land use; condemnation; changes in amounts of certain good faith offers resubmitted to account for federal or state hazardous substance cost recovery actions; limit.

Amends sec. 5 of 1980 PA 87 (MCL 213.55).

(Reported by Committee on Local Government and Urban Policy.)

(For Senate substitute (S-1), see Blue Book.)

4705 Rep. DeWeese 23

Education; public school academies; cap on number of charter schools; revise.

Amends sec. 502 of 1976 PA 451 (MCL 380.502).

(Reported by Committee on Education.)

- 24 ----

HB 4706 Rep. Lemmons

HB

Education; public school academies; limit enrollment to certain types of pupils; allow.

Amends secs. 502 & 504 of 1976 PA 451 (MCL 380.502 & 380.504).

(Reported by Committee on Education.)

(Read a second time; substitute (H-2) adopted; substitute (H-5) offered; passed for day December 1.)

(For House substitute (H-2), see Blue Book.)

(For proposed House substitute (H-5), see Blue Book.)

— 25 ———

HB 4707 Rep. Voorhees

Education; public school academies; enrollment priority for children of employees; allow.

Amends sec. 504 of 1976 PA 451 (MCL 380.504).

(Reported by Committee on Education.)

— 26 **—** —

HB 4633 Rep. Kowall

Recreation; local parks; local recreation grants; make certain park authorities imposing restrictions on hunting or fishing ineligible for.

Amends sec. 71601 of 1994 PA 451 (MCL 324.71601).

(Reported by Committee on Conservation and Outdoor Recreation.)

(Rules suspended; discharged from the Committee on Conservation and Outdoor Recreation.)

HB 4769 Rep. Rick Johnson

Transportation; carriers; truck used exclusively to transport milk; allow same registration rate as wood harvesters.

Amends sec. 801 of 1949 PA 300 (MCL 257.801).

(Reported by Committee on Transportation.)

____ 28 _____

HB 4085 Rep. Law

Occupations; individual licensing and regulation; respiratory therapists; provide for registration and title protection.

Amends secs. 16131 & 16263 of 1978 PA 368 (MCL 333.16131 & 333.16263) & adds sec. 16338 & pt. 186.

(Reported by Committee on Health Policy.)

(For proposed House substitute (H-3), see Blue Book.)

SECOND READING

____ 29 _____

SB 205 Sen. Gougeon

Land use; farmland and open space; preemption of local zoning and noise ordinances by right to farm act; provide for.

Amends sec. 4 of 1981 PA 93 (MCL 286.474).

(Reported by Committee on Agriculture and Resource Management.)

(For proposed House substitute (H-4), see Blue Book.) (For Senate substitute (S-3), see Blue Book.)

____ 30 ____

HB 4392 Rep. Cherry

Vehicles; trucks; open bed or cargo area of a pickup truck; prohibit riding in except in certain instances.

Amends 1949 PA 300 (MCL 257.1 - 257.923) by adding sec. 682b.

(Reported by Committee on Transportation.)
(For proposed House substitute (H-2), see Blue Book.)

31

HB 4684 Rep. Faunce

Courts; witnesses; provision prohibiting certain spousal testimony; eliminate.

Amends sec. 2162 of 1961 PA 236 (MCL 600.2162) & repeals secs. 166 & 461 of 1931 PA 328 (MCL 750.166 & 750.461) & sec. 19 of 1952 PA 8 (MCL 780.169).

(Reported by Committee on Family and Civil Law.)

(Read a second time; substitute (H-2) adopted; postponed temporarily November 30.)

(For House substitute (H-2), see Blue Book.)

____ 32 _____

HB 4249 Rep. Schauer

Children; other; revenue from early childhood development programs specialty license plate; earmark for children's trust fund.

Amends sec. 1 of 1982 PA 249 (MCL 21.171).

(Reported by Committee on Transportation.)

(For proposed House substitute (H-1), see Blue Book.)

____ 33 _____

SB 827 Sen. Hammerstrom

Vehicles; license plates; specialty plate for children's trusts; provide for.

Amends 1949 PA 300 (MCL 257.1 - 257.923) by adding sec. 811j.

(Reported by Committee on Transportation.)

(For proposed House amendments, see House Journal No. 76, page 2160.)

34

SB 828 Sen. Rogers

Vehicles; license plates; specialty plate for Michigan veterans memorial; create.

Amends 1949 PA 300 (MCL 257.1 - 257.923) by adding sec. 811m.

(Reported by Committee on Transportation.)

— 35 ——

SB 829 Sen. Hammerstrom

Children; other; revenue from children's trust fund specialty license plate; earmark for children's trust fund.

Amends sec. 1 of 1982 PA 249 (MCL 21.171).

(Reported by Committee on Transportation.)

SB 525 Sen. Bennett

Criminal procedure; sentencing; court to order individual convicted of crime relating to riot or unlawful assembly not to enter property of institution of higher education; allow.

Amends 1927 PA 175 (MCL 760.1 - 777.69) by adding sec. 1g to ch. IX.

(Reported by Committee on Criminal Law and Corrections.)

(For proposed House substitute (H-2), see Blue Book.) (For Senate substitute (S-2), see Blue Book.)

— 37 ——

SB 385 Sen. Bennett

Communications; mail; disclosure of certain personal information on mailing labels; prohibit.

(Reported by Committee on Local Government and Urban Policy.)

(For Proposed House substitute (H-3), see Blue Book.) (For Senate amendment, see Senate Journal No. 43, page 690.)

____ 38 _____

HB 4021 Rep. Wojno

Health; immunizations; hepatitis A immunization program for certain communities; implement under certain circumstances.

Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding pt. 92a.

(Reported by Committee on Health Policy.) (For proposed House substitute (H-1), see Blue Book.)

— 39 ———

SB 589 Sen. Schwarz

Insurance; health care corporations; genetic testing and information; prohibit use of in certain circumstances.

Amends sec. 401 of 1980 PA 350 (MCL 550.1401).

(Reported by Committee on Health Policy.)

(For Senate substitute (S-2), see Blue Book.)

— 40 **—**

SB 590 Sen. Shugars

Insurance; health; genetic testing and information; prohibit use of in certain circumstances.

Amends 1956 PA 218 (MCL 500.100 - 500.8302) by adding sec. 3407b.

(Reported by Committee on Health Policy.) (For Senate substitute (S-1), see Blue Book.)

41 ———

SB 591 Sen. Hammerstrom

Insurance; health maintenance organizations; genetic testing and information; prohibit use of in certain circumstances.

Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding sec. 21072a.

(Reported by Committee on Health Policy.) (For Senate substitute (S-1), see Blue Book.)

SECOND READING

SB 807 Sen. Schwarz

Health; medical records; blood samples taken for purposes of newborn screening tests; require department of community health to develop schedule for retention and disposal of blood samples after tests are conducted and to offer to provide a blood sample to the infant's parent or guardian.

Amends sec. 5431 of 1978 PA 368 (MCL 333.5431).

(Reported by Committee on Health Policy.)

(For proposed House substitute (H-1), see Blue Book.) (For Senate substitute (S-1), see Blue Book.)

____ 43 ____

HB 5075 Rep. Kuipers

Legislature; apportionment; charter commissions; provide for certain standards.

Amends sec. 5 of 1966 PA 293 (MCL 45.505).

(Reported by Committee on Family and Civil Law.)

(For proposed House amendment, see House Journal No. 79, page 2258.)

SB 810 Sen. Schuette

Legislature; apportionment; congressional redistricting; provide for certain standards.

(Reported by Committee on Family and Civil Law.) (For proposed House amendment, see House Journal No. 79, page 2258.)

(For Senate substitute (S-6), see Blue Book.)

SB 811 Sen. McCotter

Courts; supreme court; reapportionment of congressional districts; provide for supreme court jurisdiction and procedures

(Reported by Committee on Family and Civil Law.) (For Senate amendments, see Senate Journal No. 74, page 1587.)

SB 812 Sen. Hoffman

Legislature; apportionment; county board of commissioners redistricting; provide for certain standards.

Amends secs. 4 & 8 of 1966 PA 261 (MCL 46.404 & 46.408).

(Reported by Committee on Family and Civil Law.)

(For proposed House amendment, see House Journal No. 79, page 2259.)

(For Senate substitute (S-3), see Blue Book.)

SB 813 Sen. Sikkema

Courts; court of appeals; court of appeals redistricting; provide for certain standards.

Amends sec. 302 of 1961 PA 236 (MCL 600.302).

(Reported by Committee on Family and Civil Law.)

(For proposed House amendments, see House Journal No. 79, page 2259.)

(For Senate substitute (S-3), see Blue Book.)

SB 814 Sen. Schuette

Legislature; apportionment; senate and house of representatives redistricting; provide for certain standards.

Amends secs. 1, 2 & 4 of 1996 PA 463 (MCL 4.261 et seq.).

(Reported by Committee on Family and Civil Law.) (For Senate substitute (S-4), see Blue Book.)

— 49 *—*

HB 4525 Rep. Jellema

Crimes; criminal sexual conduct; sexual penetration or contact between certain individuals; prohibit regardless of consent.

Amends secs. 520a, 520d & 520e of 1931 PA 328 (MCL 750.520a et seq.) & adds sec. 520n.

(Reported by Committee on Criminal Law and Corrections.)

(For proposed House amendment, see House Journal No. 79, page 2260.)

_____ 50 _____

HB 4526 Rep. Richner

Criminal procedure; statute of limitations; statute of limitations for certain criminal sexual conduct violations; extend.

Amends sec. 24, ch. VII of 1927 PA 175 (MCL 767.24).

(Reported by Committee on Criminal Law and Corrections.)

(For proposed House amendment, see House Journal No. 79, page 2261.)

____ 51 _____

SB 762 Sen. Rogers

Worker's compensation; mediation; mediators to approve certain redemptions; allow.

Amends secs. 836 & 837 of 1969 PA 317 (MCL 418.836 & 418.837).

(Reported by Committee on Employment Relations, Training and Safety.)

(For Senate substitute (S-2), see Blue Book.)

____ 52 ____

HB 4620 Rep. Scott

Insurance; agents; reciprocity for adjuster's license; require in certain cases.

Amends sec. 1224 of 1956 PA 218 (MCL 500.1224).

(Reported by Committee on Insurance and Financial Services.)

— 53 ———

SB 745 Sen. Emmons

Financial institutions; banks; revisions to banking code; provide for.

Creates new act & repeals 1969 PA 319 (MCL 487.301 - 487.598).

(Reported by Committee on Insurance and Financial Services.)

(For proposed House amendment, see House Journal No. 80, page 2292.)

(For Senate substitute (S-2), see Blue Book.)

SECOND READING

____ 54 _____

HB 4803 Rep. Green

Drains; other; drain code revision; provide for.

Amends secs. 1, 2, 3, 6, 8, 10, 12, 21, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 51, 52, 53, 54, 101, 102, 103, 104, 105, 106, 151, 152, 153, 154, 155, 156, 157, 158, 161, 191, 192, 199, 200, 221, 222, 223, 241, 242, 243, 244, 245, 247, 261, 262, 263, 265, 266, 267, 269, 270, 273, 274, 275, 276, 277, 278, 279, 280, 282, 283, 301, 302, 303, 304, 306, 307, 322, 322b, 323, 324, 326, 327, 328, 391, 392, 393, 395, 421, 422, 423, 425, 429, 430, 431, 433, 463, 464, 465, 466, 467, 468, 469, 472, 473, 474, 476, 478, 483, 490, 491, 499, 513, 515, 517, 518, 519, 520, 521, 524, 525, 532, 540, 541, 601, 602, 626 & 627 of 1956 PA 40 (MCL 280.1 et seq.); adds secs. 7, 7a, 7b, 7c, 13, 14, 34, 35, 55, 56, 57, 58, 59, 107, 108, 109, 110, 111, 112, 113, 201, 275a, 277a, 329, 330, 467a, 467b, 474a, 500, 519a, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 603, 604, 605, 606, 607, 615, 616 & 617 & repeals secs. 4, 5, 11 & 22, ch. 4, ch. 6, secs. 193, 194, 195, 196, 197, 198, 246, 248, 268, 271, 272, 281, 321 & 325, chs. 14, 15 & 16, secs. 424, 426, 427, 428, 432 & 434, ch. 19, secs. 461, 470, 471, 480, 482, 485, 489a, 492 - 498, 511, 522, 523, 526 - 531, 533 - 539, 542 - 549, 551 - 583 & 621 of 1956 PA 40 (MCL 280.4 et seq.).

(Reported by Committee on Agriculture and Resource Management.)

(For proposed House substitute (H-2), see Blue Book.)

SB 246 Sen. Shugars

Crimes; other; consumption or possession of alcoholic liquor on school property; prohibit and provide penalties.

Amends 1998 PA 58 (MCL 436.1101 - 436.2303) by adding sec. 904.

(Reported by Committee on Education.)

(For proposed House substitute (H-4), see Blue Book.) (For Senate substitute (S-1), see Blue Book.)

------ 56 ------

SB 315 Sen. Van Regenmorter

Crimes; to include skull, rib, or spinal fracture.

Amends sec. 136b of 1931 PA 328 (MCL 750.136b).

(Reported by Committee on Criminal Law and Corrections.)

(For proposed House substitute (H-1), see Blue Book.) (For Senate substitute (S-1), see Blue Book.)

SB 856 Sen. Goschka

Traffic control; driver license; amendments to motor vehicle code to implement repeat offender package; provide for

Amends secs. 219, 222, 233, 240, 319, 605 & 904d of 1949 PA 300 (MCL 257.219 et seq.).

(Reported by Committee on Criminal Law and Corrections.)

(For Senate substitute (S-1), see Blue Book.)

- 58 ---

SB 596 Sen. Johnson

DECEMBER 2, 1999

Financial institutions; credit unions; residency requirement for board of directors in credit union organizations; eliminate.

Amends sec. 8 of 1925 PA 285 (MCL 490.8).

(Reported by Committee on Insurance and Financial Services.)

(For Senate substitute (S-1), see Blue Book.)

— 59 **—**

HB 4591 Rep. Birkholz

Property; land sales; seller disclosure statement; include additional notice requirements.

Amends sec. 7 of 1993 PA 92 (MCL 565.957).

(Reported by Committee on Regulatory Reform.)

(For proposed House substitute (H-1), see Blue Book.)

HB 4937 Rep. Raczkowski

Occupations; other; performing rights societies and their agents; regulate and mandate certain terms in royalty-payment contracts with establishments.

(Reported by Committee on Regulatory Reform.)

- 61 -

HB 5014 Rep. Middaugh

Property; land sales; seller disclosure; revise seller disclosure form.

Amends sec. 7 of 1993 PA 92 (MCL 565.957).

(Reported by Committee on Regulatory Reform.)

(For proposed House substitute (H-1), see Blue Book.)

STANDING COMMITTEE MEETINGS

Appropriations - Thursday, December 2, 10:00 a.m. and Tuesday, December 7, Wednesday, December 8 and Thursday, December 9, 9:30 a.m., Room 351, Capitol Building

Subcommittee on Fiscal Oversight, Audit and Litigation - Thursday, December 9, 8:00 a.m., Room 351, Capitol Building

Conservation and Outdoor Recreation - Thursday, December 2, 8:00 a.m., Room 307, House Office Building

Family and Civil Law - Thursday, December 2, 9:00 a.m., Room 327, House Office Building

Health Policy - Thursday, December 2, 10:30 a.m., Room 307, House Office Building

Local Government and Urban Policy - Thursday, December 2, 9:00 a.m., Room 308, House Office Building

STATUTORY COMMITTEE MEETING

House Fiscal Agency Governing Board - Wednesday, December 8, 9:00 a.m., Room 351, Capitol Building

		BILLS IN CONFERENCE Conferees			
				Report Agreed to	
Bill No.	Brief Title	House	Senate	House	Senate
HB 4485	Insurance; Health care corporations	Law	Shugars		
	_	DeWeese	Schwarz		
		Schauer	Murphy		
HB 4486	Insurance; Health maintenance	Law	Shugars		
	organizations	DeWeese	Schwarz		
		Schauer	Murphy		
HB 4487	Insurance; Health; continuity of care	Law	Shugars		
	, , , , , , , , , , , , , , , , , , ,	DeWeese	Schwarz		
		Schauer	Murphy		
SB 463	Construction code; building	DeRossett	McCotter		
	standards	Rocca	Stille		
		Frank	Dingell		